



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



Date: August 17, 2015

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Steven L. Medlin, AICP, Planning Director

Subject: Annual Evaluation and Assessment Report (EAR) of the *Durham Comprehensive Plan* (A1500001)

Summary. Policy 1.1.4a of the *Durham Comprehensive Plan* requires the Planning Department to submit an annual Evaluation and Assessment Report (EAR) to the governing boards. The EAR serves as an opportunity to highlight progress in implementing the Plan, to propose changes to the policies and Future Land Use Map (FLUM) of the Plan, and to present local and national land use trends and issues.

Recommendation. Staff recommends approval of policy text changes and of changes to the FLUM of the *Durham Comprehensive Plan* contained in the EAR.

Background. This is the third annual EAR of the *Durham Comprehensive Plan* since the document was updated in the spring of 2012. Section 3.4.10 of the Unified Development Ordinance (UDO) directs the EAR to include the following components:

1. A rectification of any differences between the adopted Future Land Use Map of the City and County. In addition, a summary of all zoning cases approved in the past year is included;
2. A report on the progress of policies within the *Durham Comprehensive Plan*;
3. Proposed changes to the policies of the *Durham Comprehensive Plan* that are primarily technical in nature, if any;
4. Technical updates to the Future Land Use Map; and
5. A summary report of planning trends and issues that may affect land use policy in the future.

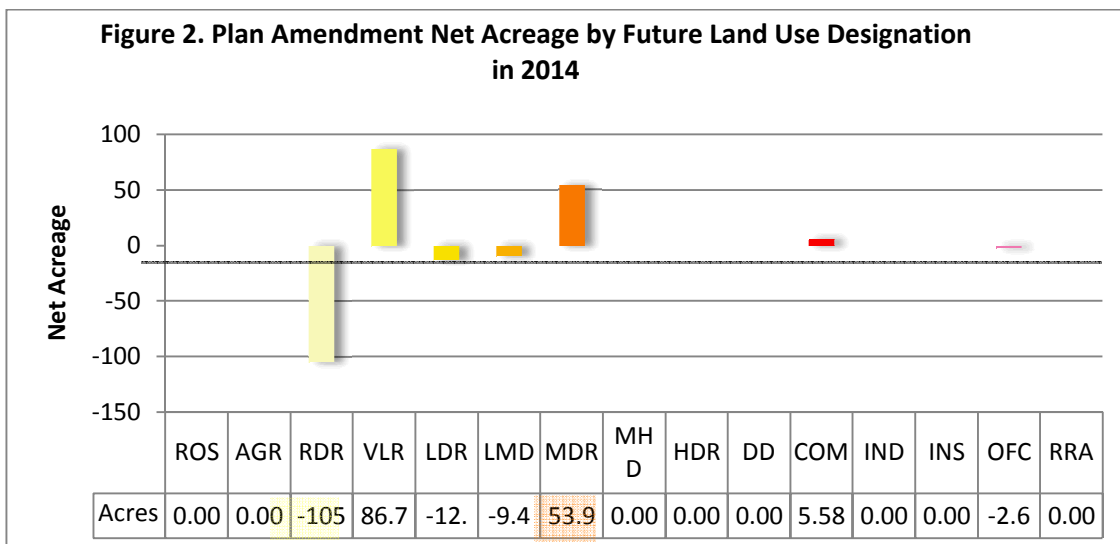
The Planning Commission recommended approval of the EAR with an 11–0 vote at its May 12, 2015 meeting.

1a. Rectification. The EAR serves as an opportunity to rectify differences between adopted plans of the City and County. When plan amendments are adopted by either the Board of County Commissioners or the City Council, the FLUM becomes inconsistent. Five plan amendments approved in 2014 have yet to be rectified (Figure 1).

Figure 1. Summary of 2014 Adopted Plan Amendments		
Case	Adopted By	Date Adopted
A1200008, The Corners at Brier Creek	City Council	11/3/14
A1300008, Ellis Road Residential	City Council	2/3/14
A1300009, Village of Rougemont	County Commissioners	3/24/2014
A1300010, Erwin Terrace at LaSalle Street	City Council	12/1/14
A1400001, UDI Farm	City Council	5/5/14

One Plan Amendment was approved by the Durham County Board of Commissioners in 2014, Village of Rougemont (Attachment 8). Staff recommends that the City Council approve the rectification of this Plan Amendment.

Approved Plan Amendments in 2014 resulted in a minor net impact in overall acreage per land use allotted on the FLUM (Figure 2). The Very Low Density Residential (2 DU/Acre or less) category gained the most acreage (86.7), while Rural Density Residential (0.5 DU/Acre or less) lost the most acreage (105.3). This change in designated land use resulted from the Village of Rougemont plan amendment, intended to change the boundary of the Rural Village and establish a commercial core. The next largest net change occurred in the category of Medium Density Residential (6–12 DU/Acre) because of increasingly denser housing development around Brier Creek.



Because of the low number of Plan Amendments approved in 2014, there remains adequate acreage allotted on the Future Land Use Map to accommodate the projected demand for all major land use categories through the year 2040 (Figure 3).

Figure 3. Land Demand and the Future Land Use Map		
Sector	Projected Demand, 2040	Accommodated by the Future Land Use Map
Residential	189,000 units	339,000 units
Office	3,053 acres	4,056 acres
Commercial	6,712 acres	6,835 acres
Industrial	10,499 acres	16,203 acres
<i>Source: Durham City-County Planning Department, February 2015</i>		

The majority of Plan Amendments approved in 2014 were located in the southern half of the County following a recent trend in requested changes in southeastern Durham (Attachment 1, Map of Approved Plan Amendments, 2004–2014). Additionally, a large quantity of land in Rougemont was converted from Rural Density Residential (0.5 DU/Acre or less) to Very Low Density Residential (2 DU/Acre or less).

1b. Zoning Map Changes in 2014. The City Council approved 23 changes to the Zoning Map in 2014, and the Board of County Commissioners approved two, as indicated in Figure 4. Attachment 2 provides a map showing the geographic location and distribution of the approved changes.

Figure 4. Summary of 2014 Approved Zoning Map Changes		
Case	Request	Date Approved
Z1200019, The Corners at Brier Creek	RR to PDR 12, CG(D)	11/3/14
Z1200024A, The Corners at Brier Creek Initial	RR, R-4, TD, CUD-TD ¹ to RR	5/18/14
Z1300013, Montclair II	RR to PDR 2.000	1/21/14
Z1300014, Chapel Creek	RS-20 to PDR 8.0	4/7/14
Z1300020, Meadows at Southpoint II	RR, OI to PDR 4.75	1/21/14
Z1300021, 54 Plaza	CN to CG(D)	3/17/14
Z1300024, Croasdaile Commons	CC to CG(D)	2/14/14
Z1300026, Ellis Road Townhomes	RR to PDR 7.187	2/14/14
Z1300027, Triangle Paintball	RS-20 to RR	1/14/14
Z1300030, Bethpage Village	PDR 4.733, CG(D), IL(D) to PDR 4.733, CG(D), IL(D)	3/17/14
Z1300031, Erwin Road at LaSalle Street	MU(D) to MU(D)	12/1/14
Z1300033A, Farrington Road Baptist Church Initial	RR to RR	2/17/14
Z1300035, Grandin Trace	RR to PDR 3.7	12/1/14
Z1400001, UDI Farm	OI to RS-20	5/5/14
Z1400003, 2919 Fayetteville Street	OI to CG	8/4/14
Z1400004, Hanover Pointe Sub Area C	PDR 4.14 to PDR 4.00	10/6/14
Z1400007, Maddry Residential	RS-20, OI to OI(D)	11/3/14
Z1400008, Harmony Road II Revisions	PDR 2.710 to PDR 2.710	8/4/14
Z1400010, Rhododendron Drive	SRP to RS-20	10/13/14
Z1400012A, Joven Northeast Creek Initial	RS-20, IL(D), CG(D), PDR 4.840 to RS-20, IL(D), CG(D), PDR 4.840	8/18/14
Z1400013A, Stonegate Reserve Initial	RS-20 to RS-20	9/15/14
Z1400014A, Ravenstone Extension Initial	RR, RS-20 to RR	12/15/14
Z1400015A, Old Oxford Road Initial	IL to IL	8/18/14
Z1400019, Waffle House, NC 55	OI to CN	12/1/14
Z1400037A, Massey's Chapel Initial	RR to RR	12/15/14

2. Policy Status Update. The *Durham Comprehensive Plan* is a policy document intended to guide growth and development in an organized, efficient, and sustainable manner. Multiple City and County departments, outside agencies, and advisory boards have a role in implementing the Plan. As part of the EAR, parties responsible for implementation are given an opportunity to describe actions and accomplishments related to specific policies (Attachment 3). While Attachment 3 does not represent all achievements of every department, it does highlight many of the ways in which individual departments have worked toward achieving the goals, objectives, and policies of the Comprehensive Plan.

3. Proposed Changes in Policy Language. A number of departments requested changes to policy language to better reflect their current priorities. Most proposed changes are minor or represent

¹ The R4, TD, and CUD-TD are City of Raleigh zoning designations. They were converted to City of Durham zoning designations as part of this rezoning.

technical changes. Proposed changes regarded as substantive are described below in Figure 5. A complete list of changes can be found in Attachment 4, Proposed Policy Text Changes.

Figure 5: Proposed Substantive Policy Amendments	
Policy	Justification for Change
Policy 4.5.2c. Compact Neighborhoods Core Area Parking. In Core Areas of Compact Neighborhoods, the Board of Commissioners and the City Council shall provide for structured parking near transit stations. Provide opportunities for long-term parking close to the transit stations for to encourage park-and-ride commuting <u>options</u> , and offer limited short-term parking opportunities near retail establishments <u>shall be encouraged</u> .	This policy is amended because provision of parking will primarily fall to the private sector.
Policy 5.1.4b. Financial Tools for Historic Preservation. The Office of Economic and Workforce Development <u>City-County Planning Department, in consultation with the City Community Development Department and the City Department of Neighborhood Improvement Services, shall investigate create a database of</u> financial tools available for the rehabilitation of historic preservation <u>residential properties</u> .	This policy is amended to reflect the interest of the City-County Planning Department and Neighborhood Improvement Services Department in preventing the demolition of locally designated historic structures.
Policy 7.1.4d. Alternative Transportation and Fuels for City and County Vehicles. Support alternative transportation to maintain air quality, preserve natural resources, reduce reliance on oil, and save money through lower fuel costs. The City <u>Fleet Management</u> General Services Department and the County General Services Department shall implement a program promoting use of non-gasoline “alternative fuels” in City and/or County vehicles.	The policy will be amended because Fleet Management is now a stand-alone department with the primary responsibility of acquiring and maintaining City vehicles.
Policy 7.1.5e. Energy-Efficient Financing Programs. The City and County shall encourage lenders to relax underwriting guidelines for homes with energy efficient features and retrofits verified by the Home Energy Rating System <u>work with community partners to develop innovative programs and financing mechanisms to reduce barriers to increasing energy efficiency in existing residential and commercial buildings</u> .	The policy will be amended to reflect actual capacity of the City-County Sustainability Office to effect change.

<p>Policy 10.1.3c. Co-Location for New Park Facilities in Relation to Private Development. The City Parks and Recreation Department shall actively look for co-location opportunities with private developments, such as large shopping centers, offices, or mixed use projects, where all citizens may benefit from shared parking or unique public spaces.</p>	<p>The policy will be removed because of lack of developer interest.</p>
<p>Policy 10.1.3g. Budgeting Parks Maintenance Costs. The City Budget and Management Services Department shall, upon approval of parks and recreation capital projects, automatically add the appropriate maintenance costs into the General Services Department operations budget as requested by the Department and approved by City Council beginning in the year the project is expected to begin operation.</p>	<p>This policy will be removed because the Department of Parks and Recreation (DPR) does have dedicated maintenance funding now, and operations costs for new facilities are systematically added to the DPR budget.</p>
<p><u>Policy 10.1.4h. City Parks and Recreation Impact Fees.</u> The City Parks and Recreation Department Budget and Management Services Department shall periodically assess impact fee zones and impact fee levels to determine their appropriateness to current levels of service standards and population distributions and, if necessary, bring a recommendation for change to the City Council.</p>	<p>This policy will be amended to reflect Budget and Management Services Department's role in assessing impact fee implementation for DPR.</p>
<p><u>Policy 10.1.6a. Parks and Recreation Marketing Plan.</u> The City Parks and Recreation Department shall develop a comprehensive marketing plan that provides citizens with information on parks, greenways, recreation programs, and other services in Durham. This information shall be disseminated information on parks, greenways, recreation programs, and other services through the Parks and Recreation Marketing Plan by means such as newsletters, program brochures, enhanced web site presence, and other media information.</p>	<p>This policy will be amended to reflect that a DPR marketing plan has been established, and now DPR must focus on communication between residents and the City about facilities and services offered.</p>
<p><u>Policy 12.1.1b. City Fire Protection Equipment and Staffing.</u> Determine strategic placement of engine company ladder companies, and other emergency response apparatus by utilizing fire service jurisdiction assessment and fire data analysis software. Primary considerations include call volume; call frequency; call type (Fire, EMS); and building occupancy, design, and hazard. <u>The City-County Planning Department shall indicate when rezoning proposals are located in areas identified as deficient in fire coverage.</u></p>	<p>This policy will be amended to address potential lack of fire coverage in developing areas.</p>

4. Technical Updates to the Future Land Use Map. Comprehensive Plan policies 2.5.2c., Recreation and Open Space Updates, and 2.5.2d., Agricultural District Updates, direct technical updates to the Future Land Use Map for the Recreation and Open Space (ROS) and Agriculture layers through the EAR. UDO paragraph 3.4.10 specifies that technical updates can be performed through the EAR without following the standard procedures for public notification. These include, but are not limited to:

- i. Amendments to the ROS layer, if needed, to conform to the most recent Special Flood Hazard Area designation by the Federal Emergency Management Agency (FEMA);
- ii. Amendments to the ROS layer to include those properties for which a conservation easement has been recorded with the Register of Deeds; and
- iii. Amendments to the Agricultural layer to include those properties for which an agricultural easement has been recorded with the Register of Deeds.

Planning Staff communicated with representatives from the Triangle Land Conservancy, the Eno River Association, the Ellerbe Creek Watershed Association, the County Department of Engineering and Environmental Services, and others to update known lands held in permanent conservation either through an easement or ownership. It is estimated that these technical changes will change the designation of approximately 275 acres of land to Recreation and Open Space (ROS) on the Future Land Use Map.

In addition to the above changes, eight acres of land are proposed to be removed from the FLUM as a result of an annexation by the Town of Morrisville in Durham County in 2014, of which 1.76 acres had been designated as Industrial and 7.14 as Research/Research Application.

Attachment 5 illustrates the proposed changes.

5. Forecasting Land Use Issues and Trends. Comprehensive plans are intended to guide growth and development in an organized, efficient, and sustainable manner. To do so, they look to the future to anticipate trends and issues that could impact how growth and development occur. While many core goals in a comprehensive plan remain unchanged over time—livable neighborhoods, access to jobs, clean and healthy environments—the context changes. The *Durham Comprehensive Plan* was adopted a decade ago, and many aspects have changed in the intervening years: the Great Recession had an enormous impact on homeownership and the ability of businesses to obtain loans, and only recently have these areas begun to recover; smartphones and other technologies are proliferating as new uses for these devices are discovered; and the Millennial Generation, the largest yet, is entering and altering the marketplace.

It will be the role of elected officials and the Durham community as a whole, with support from the Planning Department, to decide how to plan for, and respond to, many of the challenges associated with changing populations, infrastructure deficits, and new innovations.

Demographic Trends and Predictions

1. *Seniors are the fastest growing segment of the population.* This is evidenced by new active adult developments near Brier Creek and in southeastern Durham County. Providing services to elderly residents, many of whom will prefer to stay in their homes, is becoming increasingly important.
2. *No clear racial or ethnic majority.* While the City of Durham already has no racial or ethnic majority, this may be true for the country as a whole within a generation. Minority populations

tend to live in multigenerational housing and use public transit at a higher rate than non-Hispanic White populations. Preserving a wide range of housing options (sizes, types, price points) that are connected to jobs via public transit will become an even higher priority. Furthermore, a recent Urban Land Institute publication revealed that minorities are nearly 50 percent of the homebuyer market nationwide—a trend that will likely take place in Durham and lead to more integrated single-family neighborhoods.

3. *Millennials, 16–33 year olds, represent the largest segment of the population.* This generation tends to prefer more urban locations to live and work than do preceding generations. Incentivizing mixed use, urbanized neighborhoods with parks, restaurants, nightlife, and common areas and a mix of rental and for-sale housing will be important to attract and retain young people.

Transportation Trends and Predictions

1. *The use of single-occupancy vehicles will continue to be the dominant form of transportation.* While Durham has made strides in recent years to increase opportunities for walking and bicycling, existing land use patterns, particularly in suburban areas, will limit the overall efficiency and viability for many people to commute using alternative modes.
2. *Various transportation alternatives, such as public transit and cycling, will gain market share due to changes in land use patterns and personal preferences.* Notwithstanding the above paragraph, Durham's continued focused development and redevelopment along transit corridors and in the Compact Neighborhood Tier will induce more transit ridership, especially if the Light Rail and Commuter Rail systems are funded and built. The Urban Land Institute cites many surveys where residents place a high value neighborhood walkability and access to stores and services; Durham should continue and potentially expand pedestrian facilities.
3. *New technologies could change travel habits.* If electric cars and self-driving cars become more prevalent they could have an important impact on land use. By reducing congestion, emissions and eliminating the manual effort of driving, traveling further distances might be considered less onerous.

Energy Trends and Predictions

1. *Durham's growing population combined with a national trend toward increasing electricity use will necessitate increased electricity-generating capacity.* This increased demand could be partially met through the promotion of renewable energy technologies, as well as increased energy conservation due to green building and retrofitting.
2. *Renewable energies will continue to gain market share as they become more cost-competitive due to economies of scale and cost-cutting innovations.* The prices of wind and solar energy technology have fallen dramatically in the last decade, and they are expected to be nearly cost-competitive with fossil fuels in the near to mid-term. Permitting and regulations may need to be reworked to deal with increased public demand.
3. *Green building and energy retrofits should help to lessen per capita demand for energy in the future.* Many companies are realizing the financial and health benefits of green building and are choosing to build based on those considerations. However, as previously mentioned there are still many policies that government can pursue to further encourage green building.

Infrastructure Trends and Predictions

1. *The proliferation of quality telecommunication equipment will enable growth of at-home workers.* This will result in lower rates of traffic and parking per employee and decreased need for office space.

2. *Urban infrastructure is aging; resources will need to be devoted to maintenance.* In many US cities, the basic infrastructure such as roads and water and sewer lines are aging. Durham has begun the process of maintaining many of these facilities; upgrades should be considered for main line maintenance in areas that are expected to see growth such as around future rail stations.

Real Estate Trends and Predictions

1. *A surge in single-person households will increase the housing demand for small homes on small lots.* This preference reverses the longstanding trend of larger home and lot sizes found in most suburban development.
2. *Demand for multifamily housing is expected to continue to increase, though this rate may start to decrease.* The demand for urban living as observed over the past few years should continue. However, recent development requests have shown strong demand remains for townhouse and single-family suburban development.
3. *A demonstrated need for affordable housing for low-to-moderate income residents remains.* As demand for multifamily housing increases, particularly around future rail transit stations, issues regarding housing affordability will need to be addressed.
4. *New debates have launched on the subject of whether post-WWII phases of architectural history are worthy of preserving.* A broadened perspective on historic resources will bring increased opportunities for action in the field of historic preservation.

Staff Contact

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Attachments

Attachment 1, Map of Approved Plan Amendments, 2004–2014
Attachment 2, Approved Zoning Map Changes, 2014
Attachment 3, 2014 Comprehensive Plan Implementation Highlights
Attachment 4, Proposed Policy Text Changes
Attachment 5, Map of Proposed Technical Updates to the Future Land Use Map, 2014
Attachment 6, Planning Commission Written Comments
Attachment 7, Resolution
Attachment 8, Context Map for A1300009, Village of Rougemont